

KNOW ALL MEN BY THESE PRESENTS that the City of Klamath Falls, an Oregon Municipal Corporation (GRANTOR) in consideration of the sum of ONE DOLLAR (\$1.00), receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to Michael A. and Marie M. Morstad (GRANTEES) a permanent, exclusive easement for the purpose of constructing, maintaining and repairing a retaining wall easement upon a strip of land described as follows:

A strip of land 3.1 feet wide, all of which lies southwesterly of the following described line:

Beginning at the northeasterly property corner of Parcel 3 described by Deed Volume M78, Pages 8335 and 8336 of the deed records of Klamath County, Oregon; thence southeasterly along the northeasterly line of said Parcel 125.68 feet to the end of said 3.1 foot wide easement. The southwesterly line of said easement being parallel with the northeasterly line of said Parcel 3.

This easement is appurtenant to the real property owned by GRANTEES and described as follows:

Lot 1, Block 43, Hillside Addition to Klamath Falls, Oregon.

GRANTEES agree to indemnify and defend GRANTOR from any loss, claim or liability to GRANTOR arising in any manner out of GRANTEE's use of easement strip.

This easement is granted subject to all prior encumbrances of record.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed the 22nd day of January, 1992.

GRANTOR: CITY OF KLAMATH FALLS

GRANTEES:

By: Clara E. Moore
City Mayor Pro-tem

Michael A. Morstad
Michael A. Morstad

ATTEST:
Elisa D. Fritz
City Recorder

Marie M. Morstad
Marie M. Morstad

STATE OF OREGON)
COUNTY OF KLAMATH) ss.

On the 22nd day of January, 1992, personally appeared Clara E. Moore and Elisa D. Fritz who, each being first duly sworn, did say that the former is the Mayor Pro-tem and the latter is the City Recorder of the City of Klamath Falls, an Oregon municipal corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that the instrument was signed and sealed on behalf of said municipal corporation; and each of them acknowledged said instrument to be its voluntary act and deed.

BEFORE ME:

Traci P. Brac
Notary Public for Oregon
My Commission Expires: 03-13-93

STATE OF OREGON)
County of Klamath) ss.

On the 22nd day of January, 1992, personally appeared the above-named Michael A. and Marie M. Morstad and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME:

Traci P. Brac
Notary Public for Oregon
My Commission Expires: 03-13-93

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of City of Klamath Falls the 24th day of Feb. A.D., 19 92 at 2:17 o'clock P.M., and duly recorded in Vol. M92 of Deeds on Page 3700.

FEE \$30.00

Evelyn Biehn County Clerk

By Traci P. Brac

Return: City Recorder
Box 237
Klamath Falls, Or. 97601